

**SECRETARY OF STATE  
HISTORICAL RECORDS TRUST FUND  
JULY 1, 2002 THROUGH FEBRUARY 3, 2003  
MARCH 2003**

**DEPARTMENT OF ADMINISTRATION  
BUREAU OF AUDITS  
ONE CAPITOL HILL  
PROVIDENCE, RI 02908-5889**

Secretary of State  
Historical Records Trust Fund

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
BUREAU OF AUDITS  
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March 12, 2003

Honorable Matthew A. Brown  
Secretary of State  
State House, Room 217  
Providence, RI 02903

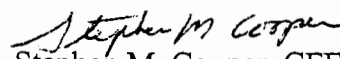
Dear Secretary Brown:

We have completed a review of the Secretary of State's Historical Records Trust Fund for the period July 1, 2002 through February 3, 2003. Our audit was conducted in accordance with Section 35-7-4 of the Rhode Island General Laws.

The findings and recommendations included herein have been discussed with management and we have considered their comments in the preparation of our report. Management's responses to our recommendations are included in this report.

In accordance with Section 35-7-4 of the Rhode Island General Laws, we will review the status of the corrective action plan within six months from the issue date of this report.

Sincerely,

  
Stephen M. Cooper, CFE, CGFM  
Chief, Bureau of Audits

SMC:pp

**Secretary of State  
Historical Records Trust Fund**

**INTRODUCTION**

**Objective, Scope, and Methodology**

On January 24, 2003, Director of Administration, Secretary of State's Office requested that the Bureau of Audits review activity in the Historical Records Trust Fund. Her concern was based on expenditures for non-programmed activities made against the Trust Fund account related to the prior administration. The processing of these transactions occurred from the period of July 1, 2002 through February 3, 2003.

Our review was made in accordance with the *Standards for the Professional Practice of Internal Auditing* issued by the Institute of Internal Auditors. In conducting our review, we evaluated expenditures and supporting documentation related to activity in the Historical Records Trust Fund. We also interviewed departmental staff from the Offices of the Secretary of State, Budget, and Accounts and Control and performed tests of the records and such auditing procedures as we considered necessary in the circumstances.

The findings and recommendations included herein have been discussed with management and we have considered their comments in the preparation of our report. Section 35-7-4 (c) of the Rhode Island General Laws requires the auditee to respond within 60 days to all recommendations in this report. Management's responses to our findings and recommendations are included in this report.

**Background**

As part of its public records oversight mission, the State Archives and Public Records Administration initiated a project in 1992 to address the management of records in the custody of local governments. Establishment of the Local Government Records Programs was enabled by a two-year grant from the National Historical Publications and Records Commission. This grant-funded project became an institutionalized program with the passage of the R.I. Historical Records Trust Act in 1993. The Trust provides permanent funding for the Program through the collection of a two-dollar fee attached to certain land evidence and probate filings at the municipal level. One dollar remains with the municipal clerk in a Trust and funds local government records management and preservation efforts. The second dollar, transmitted to a restricted receipt Trust account, supports the Local Government Records Program. The benefits of the program manifested during the federally funded grant period enabled the Department of State to garner local government support for passage of the Historical Records Trust Act.

Section 42-8.1-20 of the Rhode Island General Laws established the Historical Records Trust Fund. Use of these funds by the State Archives is restricted solely to the development and ongoing maintenance of a full-time local government records management program component within the state archives and records program. This program is responsible for providing aid, advice, and assistance to all local governments of Rhode Island concerning the proper management and preservation of the public records in their custody or care. Funds can also be expended to support administrative and other costs associated with the provision of consultative and technical services including, but not limited to, educational programming, micrographic services, and ongoing storage and preservation of local government records.

Secretary of State  
Historical Records Trust Fund

**FINDINGS AND RECOMMENDATIONS**

**Questionable Transactions**

Based on our review of the transactions for the Historical Records Trust Fund we determined that expenditures were processed against this account that violated the General Law creating this Fund.

The chart on the right summarizes the questionable transactions by event and amount.

Summary of Questionable Transactions			
Description	Expended	Pending	Total
Bannister Program	\$117,880.35	\$3,000.00	\$120,880.35
Displaying Historical Documents	59,172.96	776.60	59,949.56
Organizing and Cataloging Records	24,894.00		24,894.00
World War II Women Veterans	12,056.00		12,056.00
Restoration and Cleaning of Paintings	8,875.00		8,875.00
Broadside - Civil War <sup>1</sup>	2,562.76	3,011.06	5,573.82
Total	\$225,441.07	\$6,787.66	\$232,228.73

<sup>1</sup> The Pending column includes \$2,840 for Broadside events that were paid from Secretary of State's general revenue appropriation.

The intent of the Trust Fund is to provide a funding mechanism to aid cities and towns throughout Rhode Island with the proper management and preservation of their public records and not to promote activities and events of the Secretary of State's Office.

These transactions were the result of the prior Secretary of State and Deputy Secretary of State/Chief of Staff's involvement in entering into contracts and in coordinating and planning these activities and events. The program expenditures were not part of the budgetary plan for this account. In addition, the business office was not aware of many of these transactions until after the activity or event had taken place. In many instances normal purchasing procedures were not followed.

The Office of Accounts and Control processed these transactions because they placed reliance on the authorized agent's signature and the attached supporting documentation. Our discussions with staff from the Budget Office also disclosed that they rarely review or approve expenditure transactions associated with the General Officers' appropriation accounts.

**Recommendations**

1. The Historical Records Trust Fund should be reimbursed.

**Management's Response:** Accepted

## **Recommendations** – (Cont'd)

2. The Secretary of State should request a legal opinion from the Attorney General's Office to determine if there are any remedies available.

**Management's Response:** Accepted

3. The Secretary of State should forward a copy of the report to the Rhode Island Ethics Commission to determine if any ethical violations have occurred.

**Management's Response:** Accepted

Descriptions of a narrative explaining the event or activity and the classification of expenditures are listed below.

### **Description of Event or Activity**

**Bannister Program–** (Bannister Tea Party held on September 22, 2002; Bannister Bust unveiling held on December 19, 2002). The Rhode Island Black Heritage Society requested an \$85,000 grant from the Secretary of State's Office to secure three paintings by Edward Mitchell Bannister: landscapes *Four Cows in a Meadow*, and *A Road that Leads to House with a Red Roof*, and a portrait of the artist's wife: *Christiana Carteaux Bannister*. These paintings bequeathed by Mrs. Bannister to the *Home of Aged Colored Women* (Bannister House) were adversely impacted by the financial troubles suffered when the nursing home was placed in receivership. A creditor petitioned the court to sell the painting and apply the proceeds toward the Bannister House's \$3.5 million debt. A Superior Court ruling acknowledged the importance of these paintings and granted a year reprieve. This ruling allowed time to raise monies to "buy back" the paintings. Approximately \$17,000 was raised and expenses incurred totaled \$4,000.

#### **Questionable Expenditures: \$117,880.35**

- Tea Party at Brown University
- Sculpture of Christian Carteaux Bannister
- Memorial Plaques
- Professional Performance (singer)
- Grant for 3 Bannister Paintings

#### **Questionable Liability: \$3,000.00**

- Represents the cost of the Pedestal for the Bannister Bust. The stone has been installed; however, the Office of Purchases has not approved this purchase.

## **Displaying Historical Documents- (series of events)**

**RI Treasures** – This is a 45-day exhibit of Rhode Island documents and artifacts relating to state history. It is supposed to run at the Convention Center from May 10 through June 15, 2003. Sponsors include Fleet, Verizon, and the Rhode Island Foundation. The RI Treasures exhibit was initially called the RI Originals and was supposed to occur in September 2002.

**Declaration of Independence** – (This document was available for viewing at Providence Place Mall from September 1-15, 2002.) One of the eight remaining original copies of the Declaration of Independence made in Rhode Island. Printed by Solomon Southwick of Newport in 1776 and presented to the Town of West Greenwich by the Rhode Island General Assembly.

**Bill of Rights** – Public display of the Bill of Rights at the Providence Place Mall from November 8-9, 2002.

### **Questionable Expenditures: \$59,172.96**

**RI Treasures** - \$30,923.11

**Declaration of Independence** - \$22,746.72

**Bill of Rights** - \$5,503.13

- Insurance, Advertising, Printing, Postage
- Planning and Design of Display Case
- State Police Security

### **Questionable Liability: \$776.60**

- Pending reimbursements to the former Deputy Secretary of State/Chief of Staff for expenses charged on his personal credit card for printing copies of flyers.

### **Expenses for Organizing and Cataloging Records: \$24,894.00**

- At the State Archives
- Alex Tavares photos
- Papers of Ed Inman

### **Questionable Expenditures: \$24,894.00**

- Organizing and Cataloging State Records
- Organizing and Cataloging Photos

**World War II Women Veterans** – (held at the Veterans Memorial Auditorium on December 12, 2002). A musical tribute to Rhode Island WW II Women Veterans – Honoring those who served.

### **Questionable Expenditures: \$12,056.00**

- Musical Performance
- Printing, Insurance, Additional Cleaning
- Sound System, Stage Production, Lighting



**Restoration and Cleaning of Paintings**

- Portraits of Nicholas Cooke, Thomas Wilson Dorr, J. Howard McGrath, Samuel H. Arnold, and T. F. Green

**Questionable Expenditures: \$8,875.00**

- Restoration of State-Owned Portraits

**Broadside - Civil War** (Series of events held from July 7, 2002 through September 3, 2002) Held on various dates in the cities and towns throughout Rhode Island -- usually at public libraries -- commemorating Rhode Islander's who participated in the Civil War.

**Questionable Expenditures: \$2,562.76 (series of events)**

- Printing Civil War Booklets
- Refreshments
- Professional Performances (singer)

**Questionable Liability: \$3,011.06**

- Pending reimbursements to the former Deputy Secretary of State/Chief of Staff for expenses charged on his personal credit card for decorations, backings, and ribbons totaling \$171.06.
- Postage charged against the Secretary of State's General Revenue Appropriations for Broadside events in Pawtucket, Providence and North Providence totaling \$2,840.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

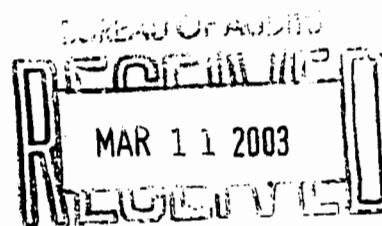
Office of the Secretary of State

**Matthew A. Brown**

Secretary of State

March 10, 2003

Stephen M. Cooper, Chief  
Bureau of Audits  
Department of Administration  
One Capitol Hill  
Providence, RI 02908-5889



**RE: Secretary of State Historical Records Trust Fund  
July 1, 2002 through February 3, 2003**

Dear Mr. Cooper:

Thank you for your timely review of the Office of the Secretary of State's Historical Records Trust Fund from July 1, 2002 through February 3, 2003. As you know, my administration requested this review after evaluating the status of departmental accounts during our first month in office and finding that a request for an Authorized Red Balance of \$245,000 had been submitted and approved for the fund.

We have reviewed the draft report and recommendations and offer the following responses:

**RECOMMENDATION #1:** *The Historical Records Trust Fund should be reimbursed.*

**RESPONSE:** Accepted.

The Historical Records Trust Fund should be reimbursed.

**RECOMMENDATION #2:** *The Secretary of State should request a legal opinion from the Attorney General's Office to determine if there are any remedies available.*

**RESPONSE:** Accepted.

As per this recommendation, the Office of the Secretary of State will immediately prepare and deliver a letter requesting an opinion from the Attorney General as to the possibility of remedies.

**RECOMMENDATION #3:** *The Secretary of State should forward a copy of the report to the Rhode Island Ethics Commission to determine if any ethical violations have occurred.*

**RESPONSE:** Accepted.

As per this recommendation, the Office of the Secretary of State will immediately forward a copy of the report to the Rhode Island Ethics Commission to determine if any ethical violations have occurred.

Office of the  
Secretary of State

House Room 217  
Providence, RI 02903

Tel: 401-222-2357


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[www.state.ri.us](http://www.state.ri.us)

Again, I am grateful to you and your colleagues at the Bureau of Audits for your cooperation and assistance in undertaking this review. If you have any questions or need additional information from our office, please do not hesitate to contact me or Nellie M. Gorbea, Director of Administration, at (401) 222-2357.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. A. Brown', with a stylized flourish at the end.

Matthew A. Brown  
Secretary of State

Secretary of State  
Historical Records Trust Fund  
Questionable Transactions For the Period July 1, 2002 through February 3, 2003

**BANNISTER PROGRAM**

<b>Paid Date</b>	<b>Amount</b>	<b>Vendor Name</b>	<b>Event Expense</b>	<b>Description</b>
07/03/02	125.00	Sharon Mazyck	Bannister	Professional Performance
09/19/02	450.00	Regine Printing Co Inc	Bannister	Invitations And Reply Cards
10/16/02	225.00	Jesse Nemerofsky	Bannister	Photography At Brown University
10/21/02	9,500.00	Pablo Eduardo	Bannister	Design & Development Bannister Sculpture
10/24/02	470.50	Quality Rental Centers Inc	Bannister	Tablecloths For Bannister Event At Brown
11/07/02	1,430.00	Blackstone Caterers LLC	Bannister	Balance Due
11/08/02	50.00	David Frerichs	Bannister	Decorations For Bannister Tea
11/21/02	317.85	Constance Brown	Bannister	Photography
12/03/02	9,500.00	Pablo Eduardo	Bannister	FINAL PMNT- Bannister Sculpture-To Be Given In Hand 12/19/02
12/31/02	233.00	Regine Printing Co Inc	Bannister	Printing For Bannister Event
12/31/02	150.00	Sharon Mazyck	Bannister	Bannister Singing Performance
01/17/03	8,500.00	RI Black Heritage Society	Bannister	Re Two (2) Memorial Plaques - No Burial Ground
01/17/03	85,000.00	RI Black Heritage Society	Bannister	Securing Of Three (3) Bannister Paintings
01/23/03	950.00	Keeka Communications	Bannister	Develop design colored program for Bust unvailing
01/30/03	979.00	Reynolds Dewalt Printing Inc	Bannister	Printing event programs for 12/19/02
	<u><u>117,880.35</u></u>	<b>Total costs associated with activities and programs involving the Bannister Program</b>		

Secretary of State  
Historical Records Trust Fund  
Questionable Transactions For the Period July 1, 2002 through February 3, 2003

**DISPLAYING PUBLIC DOCUMENTS**

<b>Paid Date</b>	<b>Amount</b>	<b>Vendor Name</b>	<b>Event Expense</b>	<b>Description</b>
12/03/02	19,500.00	Convention Authority Of The City Of Prov	RI Treasures	Expenses To Create Display For RI Treasures Event
12/19/02	953.36	John A Woods	RI Treasures	Appraisal Services Loaned Items For Exhibit
12/23/02	4,393.75	Convention Authority Of The City Of Prov	RI Treasures	Postage For RI Treasures Mailing
01/30/03	850.00	Keeka Communications	RI Treasures	RI Treasures
01/30/03	258.00	Keeka Communications	RI Treasures	RI Treasures
01/30/03	4,968.00	Reynolds Dewalt Printing Inc	RI Treasures	12k Invites To RI Treasures
	<u>30,923.11</u>	<b>Sub Total</b>		
12/12/02	323.75	Concept Link Ltd	Bill of Rights	Printing For Bill Of Rights
12/05/02	738.00	Economy Movers	Bill of Rights	Moving Services
01/08/03	3,803.08	Providence Journal Co, The	Bill of Rights	Bill Of Rights Advertising
12/04/02	346.30	Ray Rickman	Bill of Rights	Bill Of Rights Invites
12/12/02	292.00	Regine Printing Co Inc	Bill of Rights	Printing - Bill Of Rights Inv.
	<u>5,503.13</u>	<b>Sub Total</b>		
07/26/02	35.00	Morris Novelty Co	Decl of Independence	Costume Rental For Horse Rider
07/29/02	138.93	Thomas R Evans	Decl of Independence	Out Of Pocket Expense/Frame For Declaration Of Independence
08/13/02	366.25	Abar Photographics & Elctronic Imaging C	Decl of Independence	Decl Of Independence
08/28/02	100.00	Deirdre A Donovan	Decl of Independence	Singing At Dec. Of Ind. & Broadside
09/04/02	1,500.00	Convention Authority Of The City Of Prov	Decl of Independence	Planning & Design Decl Of Ind Display
09/04/02	8,500.00	Convention Authority Of The City Of Prov	Decl of Independence	Fabrication Of Decl Of Ind Display
09/10/02	15.74	Ray Rickman	Decl of Independence	Decorations
09/10/02	260.00	Regine Printing Co Inc	Decl of Independence	Hist Rec Trust Printing
09/12/02	394.30	Ray Rickman	Decl of Independence	Out-Of-Pocket Copying Expense
09/13/02	49.50	Taylor Rental	Decl of Independence	Tablecloths For 9/1 Event
09/23/02	2,506.83	Convention Authority Of The City Of Prov	Decl of Independence	Declaration Of Independence Exhibit
10/07/02	320.00	Regine Printing Co Inc	Decl of Independence	Printing For Dec. Of Indep.
10/16/02	650.00	RI Association Of Insurance Agents	Decl of Independence	Declaration Of Ind Prov Place Mall
10/18/02	160.00	Peter Goldberg	Decl of Independence	Declaration Of Ind. Photo Opening
12/12/02	336.00	Silktone	Decl of Independence	Display Expense - Dec. Of Ind.
12/23/02	500.00	Convention Authority Of The City Of Prov	Decl of Independence	Moving Expenses Declartaion Of Independence
	6,454.17	Rhode Island State Police	Decl of Independence	Interdepartmental Billing For Security
01/06/03	460.00	Ray Rickman	Decl of Independence	Mailers For Decl Or Independence Display
	<u>22,746.72</u>	<b>Sub Total</b>		
	<u>59,172.96</u>	<b>Total costs associated with activities and programs in displaying Historical Documents</b>		

- 1 -

Secretary of State  
Historical Records Trust Fund  
Questionable Transactions For the Period July 1, 2002 through February 3, 2003

**Organizing and Cataloging Records**

Paid Date	Amount	Vendor Name	Event Expense	Description
12/23/02	768.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
12/23/02	4,050.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
01/10/03	2,136.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
01/10/03	2,136.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
01/10/03	792.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
01/10/03	960.00	The Owl At The Bridge	State records	Tavares Photo Archive/ WW II Revue
12/30/02	4,242.00	The Owl At The Bridge	State records	Org. And Cataloging Of Tavares Photos
01/06/03	3,144.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
01/08/03	2,136.00	The Owl At The Bridge	State records	Organizing & Cataloging At State Archives
01/08/03	1,680.00	The Owl At The Bridge	State records	Org. And Cataloging Of Alex Tavares Photos
01/08/03	384.00	The Owl At The Bridge	State records	Org. And Cataloging - R. Dimmick - 12-23/27-2002
01/08/03	1,476.00	The Owl At The Bridge	State records	Org. And Cataloging Alex Tavares Photos
01/09/03	990.00	The Owl At The Bridge	State records	Organize And Catalog The Papers Of Ed Inman
	<u>24,894.00</u>	Total expense related to organizing and cataloging records		

**WORLD WAR II WOMEN VETERANS**

Paid Date	Amount	Vendor Name	Event Expense	Description
12/26/02	98.00	Morris Novelty Co	WW II Event	Flags For WW II Event
12/18/02	250.00	Veterans Memorial Auditorium Foundation	WW II Event	Liability Insurance For 12/12 Event
12/19/02	300.00	Amerzine Co, The	WW II Event	Adv 12/5 For WW II Event 12/12
12/19/02	1,500.00	For Sentimental Reasons	WW II Event	Musical Performance
12/23/02	675.00	Roger Williams University	WW II Event	Entertainment For WW II Event
12/31/02	100.00	Coastline Show Chorus	WW II Event	Riser Transport Expense
12/31/02	250.00	Immedia LLP	WW II Event	Skytracker" Lighting For The Vent
12/31/02	385.00	Veterans Memorial Auditorium Foundation	WW II Event	Contracted Services For 12/12 Event
12/31/02	225.00	Veterans Memorial Auditorium Foundation	WW II Event	Additional Cleaning Required After 12/12/02 WW II Event
01/10/03	2,180.00	Regine Printing Co Inc	WW II Event	Printing Of WW II Event Materials
01/21/03	633.00	Veterans Memorial Auditorium Foundation	WW II Event	WW II Event
01/21/03	830.00	ATR/Treehouse	WW II Event	Sound Systems Expense
01/21/03	900.00	Ruth Sternberg	WW II Event	Stage Production
01/30/03	535.00	Boston University	WW II Event	WW II Event Radio Spots
02/03/03	2,695.00	Regine Printing Co Inc	WW II Event	Books - Musical Tribute To RI WW II Woman's Veterans
02/03/03	500.00	Timothy Whelan	WW II Event	Lighting Design - WW II Event
	<u>12,056.00</u>	Total costs associated with activities and programs in honoring World War II Women Veterans		

**RESTORATION AND CLEANING OF PAINTINGS**

Paid Date	Amount	Vendor Name	Event Expense	Description
11/18/02	800.00	Alice K Miles	Portrait Restoration	Painting Restoration
01/30/03	3,250.00	Peter Williams/Museum Services	Portrait Restoration	Restoration/Cleaning Of Paintings
01/30/03	4,825.00	R Mcelroy Conservators Inc	Portrait Restoration	Portrait Restoration
	<u>8,875.00</u>	<b>Total expenses related to the restoration and cleaning of paintings</b>		

**Broadside**

Paid Date	Amount	Vendor Name	Event Expense	Description
07/22/02	110.00	Congdon Street Baptist Church	Broadside	African American Civil War Broadside
07/22/02	21.84	Stop & Shop Supermarket Co	Broadside	Pastry/Broadside - No. Prov.
07/22/02	6.80	Ray Rickman	Broadside	Mailing Costs
07/26/02	150.00	Corporate Chefs Inc	Broadside	Press Conf 7/8/02
08/08/02	59.80	Staples Inc	Broadside	Office Supplies
08/08/02	39.29	Stop & Shop Supermarket Co	Broadside	Refreshments/Broadside Pres.
08/19/02	200.00	Greater Providence YMCA	Broadside	Living History Presentation - 14th RI Project
08/23/02	21.24	Stop & Shop Supermarket Co	Broadside	Broadside Refreshments
08/27/02	150.00	Regine Printing Co Inc	Broadside	Printing Of Broadside
08/27/02	34.51	Stop & Shop Supermarket Co	Broadside	Broadside Refreshments
08/28/02	260.00	Deirdre A Donovan	Broadside	Singing At Dec. Of Ind. & Broadside
08/30/02	300.00	Regine Printing Co Inc	Broadside	Cranston & Newport Broadside
09/11/02	175.00	Deirdre A Donovan	Broadside	Singing At Broadside
09/12/02	150.00	Regine Printing Co Inc	Broadside	East Providence Broadside
09/19/02	18.75	Stop & Shop Supermarket Co	Broadside	Refreshments/Girl Scouts Party
09/19/02	40.78	Stop & Shop Supermarket Co	Broadside	Refreshments
11/20/02	75.00	Deirdre A Donovan	Broadside	Singing At EP Broadside
	<u>1,813.01</u>	<b>Sub Total</b>		

**CIVIL WAR**

07/17/02	95.00	Regine Printing Co Inc	Civil War	Printing For Civil War Booklet
08/08/02	95.00	Regine Printing Co Inc	Civil War	Printing Of NP Civil War Booklet
08/26/02	125.00	Kristen Courtney Kilduff	Civil War	Singing At Dedication Of Civil War Booklet
08/27/02	34.75	Ray Rickman	Civil War	Out Of Pocket Expenses
08/28/02	100.00	RI Brassworks	Civil War	Musical Services Provided At NP Library
08/30/02	300.00	Regine Printing Co Inc	Civil War	Cumb & Warwick Broadside
	<u>749.75</u>	<b>Sub Total</b>		
	<u>2,562.76</u>	<b>Total costs associated with Broadside and Civil War activities and programs</b>		